## Reasons for Granting Rehearing and Issuing the Writ

The petition for Rehearing was denied on June 22, 1964 and on July 14, 1964, petition for writ of *certiorari* to the Court of Appeals for the Third Circuit in the case of *Ferrante* v. *Swedish American Lines*, 331 F. 2d 571 (1964) was filed with this Court.

The decision in *Ferrante* is contrary to that of the Court of Appeals for the Second Circuit in this case, as are the decisions in *Thompson* v. *Calmar Steamship Corporation*, 331 F. 2d (3rd Cir., 1964) and *Scott* v. *Isbrandtsen Co.*, 327 F. 2d 113 (4th Cir., 1964).

In the event the Court grants *certiorari* in the *Ferrante* case, it is respectfully urged that this case should be considered along with it so that the issue of unseaworthiness raised by these cases may be fully considered and the law clarified for the guidance of all courts called upon to interpret and apply maritime law.

## CONCLUSION

**For reasons set forth above and in the petitions for writ of *certiorari* and rehearing, and in the reply of the petitioner to the briefs of the respondents, it is respectfully urged that a rehearing be granted and that upon such rehearing a writ of *certiorari* issue to the Court of Appeals for the Second Circuit.**

Respectfully submitted,

NATHAN BAKER,
*Counsel for Libellant-Petitioner.*

BAKER, GARBER & CHAZEN,
*Proctors for Libellant-Petitioner.*

## Certificate of Counsel

I hereby certify that the foregoing second petition for rehearing is presented in good faith and not for delay and is restricted to grounds specified in Rule 58 of the rules of this Court.

NATHAN BAKER,
Counsel for Libellant-Petitioner.

BAKER, GARBER & CHAZEN,
Proctors for Libellant-Petitioner.